

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRIAN D. PIERCE, :
: Plaintiff, : Civil Action No. 03-173E
vs. : : JUDGE SEAN J. McLAUGHLIN
: PENNSYLVANIA DEPT. :
OF CORRECTIONS, :
: Defendant. :
:

PLAINTIFF'S MOTION FOR SANCTIONS
AND ENFORCEMENT OF SETTLEMENT AGREEMENT

AND NOW, comes Brian D. Pierce, by and through his counsel, Neal A. Sanders, Esquire, and Dirk Beuth, Esquire, of the Law Offices of Neal A. Sanders and files this Plaintiff's Motion for Sanctions and Enforcement of Settlement Agreement and states as follows:

1. The Defendant was ordered to stand jury trial on May 8, 2006.
2. On April 26, 2006, Defendant agreed to pay \$42,000.00 to Plaintiff and Plaintiff's attorney so it would not stand jury trial. See Exhibit 1.
3. As of June 27, 2006, Defendant has failed to pay the agreed upon \$42,000.00 to Plaintiff and Plaintiff's attorney.
4. Plaintiff has been harmed by this absurd and ridiculous delay.
5. Plaintiff asks the Court to penalize the Defendant by imposing sanctions of \$25,000.00 per day against the Defendant

until the Defendant pays the Plaintiff and Plaintiff's attorney.

6. The penalty will hopefully deter the Defendant from harming other Plaintiffs in the future.

7. Plaintiff has abided by the Settlement Agreement. See Exhibit 2.

WHEREFORE, the Plaintiff asks the Court to execute the attached Order.

Respectfully submitted,

LAW OFFICES OF NEAL A. SANDERS

Dated: June 27, 2006

By: /s/ Neal A. Sanders

Neal A. Sanders, Esquire
PA ID NO. 54618
Co-Counsel for Plaintiff,
Brian D. Pierce

By: /s/ Dirk Beuth

Dirk Beuth, Esquire
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